

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re:

ELETSON HOLDINGS INC., et al.,

Debtors.¹

Chapter 11

Case No.: 23-10322 (JPM)

(Jointly Administered)

**NOTICE OF AGENDA OF
MATTERS SCHEDULED FOR STATUS CONFERENCE ON
FEBRUARY 27, 2024 AT 10:00 A.M. (EASTERN)**

Date and Time: **February 27, 2024 at 10:00 a.m. (Eastern)**

Location of Status Conference

A Status Conference (“Status Conference”) will be held on February 27, 2024 at 10:00 a.m., the status conference will be conducted remotely using Zoom for Government only. Parties wishing to appear at the status conference, whether making a “live” or “listen only” appearance before the Court, need to make an electronic appearance (an “eCourtAppearance”) through the Court’s website at <https://ecf.nysb.uscourts.gov/cgi-bin/nysbAppearances.pl> by 4:00 p.m., Eastern, the business day before the status conference (i.e., on Monday, February 26, 2024). All persons seeking to attend the status conference remotely at 10:00 a.m., Eastern on February 27, 2024 must connect to the status conference beginning at 9:00 a.m., Eastern on February 27, 2024. A copy of each pleading can be viewed for a fee on the Court’s website at www.ecf.uscourts.gov.

A. ADJOURNED MATTERS GOING FORWARD

1. Motion of the Petitioning Creditors to Terminate the Debtors’ Exclusivity Period [Dkt. No. 384].

Response Deadline: February 14, 2024 at 4:00 P.M.; the briefing schedule was adjourned and will be considered at the February 27, 2024 status conference.

Related Documents(s):

- (A) Notice of Hearing of Motion of the Petitioning Creditors to Terminate the Debtors’ Exclusivity Period [Dkt. No. 384].

¹ The Debtors in these chapter 11 cases are: Eletson Holdings Inc., Eletson Finance (US) LLC, and Agathonissos Finance LLC.

- (B) Proposed Order Granting the Motion of the Petitioning Creditors to Terminate the Debtors' Exclusivity Period [Dkt. No. 384-1].
- (C) Declaration of Jared C. Borriello in Support of Motion of the Petitioning Creditors to Terminate the Debtors' Exclusivity Period [Dkt. No. 384-2].
- (D) The Petitioning Creditors' Motion for an Order Authorizing the Filing Under Seal of Certain Portions of the Motion of the Petitioning Creditors to Terminate the Debtors' Exclusivity Period [Dkt. No. 383].
- (E) Proposed Order Authorizing the Filing Under Seal of Certain Portions of the Motion of the Petitioning Creditors to Terminate the Debtors' Exclusivity Period [Dkt. No. 383-1].
- (F) Notice of Hearing of Motion of the Petitioning Creditors to Terminate the Debtors' Exclusivity Period [Dkt. No. 393].
- (G) Notice of Adjournment of Hearing and Scheduling Status Conference on the Motion of the Petitioning Creditors to Terminate the Debtors' Exclusivity Period [Dkt. No. 411].
- (H) Joint Status Report [Dkt. No. 435].

Responses/Replies Received:

- (I) Joinder of Wilmington Savings Fund Society, FSB, as Indenture Trustee and Collateral Agent, to Motion of the Petitioning Creditors to Terminate the Debtors' Exclusivity Period [Dkt. No. 419].

Status: This matter is going forward on a status conference basis only with briefing to be set.

- 2. REDACTED Motion of the Official Committee of Unsecured Creditors for an Order Appointing a Chapter 11 Trustee [Dkt. No. 394].

Response Deadline: February 14, 2024 at 4:00 P.M.; the briefing schedule was adjourned and will be considered at the February 27, 2024 status conference.

Related Documents(s):

- (A) Notice of Hearing on the Motion of the Official Committee of Unsecured Creditors for an Order Appointing a Chapter 11 Trustee [Dkt. No. 394].
- (B) Proposed Order Directing the Appointment of a Chapter 11 Trustee [Dkt. No. 394].

- (C) REDACTED Exhibits to the Motion of the Official Committee of Unsecured Creditors for an Order Appointing a Chapter 11 Trustee [Dkt. No. 395].
- (D) Declaration of Michael Cordasco in Support of the Motion of the Official Committee of Unsecured Creditors for an Order Appointing a Chapter 11 Trustee [Dkt. No. 396].
- (E) Motion of the Official Committee of Unsecured Creditors for the Entry of an Order Authorizing the Filing Under Seal of Its Motion to Appoint a Chapter 11 Trustee [Dkt. No. 397].
- (F) Proposed Order Authorizing the Filing Under Seal of the Motion of the Official Committee of Unsecured Creditors for an Order Appointing a Chapter 11 Trustee [Dkt. No. 397].
- (G) Notice of Adjournment of Hearing on the Motion of the Official Committee of Unsecured Creditors for an Order Appointing a Chapter 11 Trustee [Dkt. No. 422].
- (H) Joint Status Report [Dkt. No. 435].

Responses/Replies Received:

- (I) Joinder of Deutsche Bank Trust Company Americas in its Capacity as Indenture Trustee Under the 2013 Notes Indenture to Motion of the Official Committee of Unsecured Creditors for an Order Appointing a Chapter 11 Trustee [Dkt. No. 404].
- (J) Joinder of Wilmington Savings Fund Society, FSB, as Indenture Trustee and Collateral Agent, to Motion of the Official Committee of Unsecured Creditors for an Order Appointing a Chapter 11 Trustee [Dkt. No. 420].

Status: This matter is going forward on a status conference basis only with briefing to be set.

B. MATTERS GOING FORWARD

- 3. Motion of Debtors and Debtors In Possession for an Order: (I) Approving Their Disclosure Statement; (II) Establishing Procedures for Solicitation and Tabulation of Votes to Accept or Reject Their Plan of Reorganization; (III) Establishing the Confirmation Hearing and Related Deadlines and (IV) Granting Related Relief [Dkt. No. 372].

Response Deadline: February 20, 2024 at 5:00 P.M.; the briefing schedule was adjourned and will be considered at the February 27, 2024 status conference.

Related Documents(s):

- (A) Disclosure Statement in Support of First Joint Plan of Reorganization of Debtors Under Chapter 11 of the United States Bankruptcy Code [Dkt. No. 371].
- (B) First Joint Plan of Reorganization of Debtors Under Chapter 11 of the United States Bankruptcy Code [Dkt. No. 370].
- (C) Notice of Motion of Debtors and Debtors In Possession for an Order: (I) Approving Their Disclosure Statement; (II) Establishing Procedures for Solicitation and Tabulation of Votes to Accept or Reject Their Plan of Reorganization; (III) Establishing the Confirmation Hearing and Related Deadlines and (IV) Granting Related Relief [Dkt. No. 372].
- (D) Proposed Order (I) Approving the Debtors' Disclosure Statement; (II) Establishing Procedures for Solicitation and Tabulation of Votes to Accept or Reject Their Plan of Reorganization; (III) Establishing the Confirmation Hearing and Related Deadlines; and (IV) Granting Related Relief [Dkt. No. 372-1].
- (E) Notice of Adjournment of Hearing and Scheduling of Status Conference on all Motions Currently Scheduled for February 27, 2024 at 10:00 A.M. (Eastern) [Dkt. No. 425].
- (F) Joint Status Report [Dkt. No. 435].

Responses/Replies Received:

Status: This matter is going forward on a status conference basis only with briefing to be set.

4. Debtors' First Omnibus Objection to Certain Claims [Dkt. No. 376].

Response Deadline: February 20, 2024 at 4:00 P.M.; the briefing schedule was adjourned and will be considered at the February 27, 2024 status conference.

Related Documents(s):

- (A) Notice of Omnibus Objection and Hearing [Dkt. No. 376].
- (B) Proposed Order Sustaining Debtors' First Omnibus Objection to Certain Claims [Dkt. No. 376].
- (C) Declaration of Vassilis E. Kertsikoff in Support of Debtors' Objections to Proofs of Claim [Dkt. No. 381].

(D) Notice of Adjournment of Hearing and Scheduling of Status Conference on all Motions Currently Scheduled for February 27, 2024 at 10:00 A.M. (Eastern) [Dkt. No. 425].

(E) Joint Status Report [Dkt. No. 435].

Responses/Replies Received:

Status: This matter is going forward on a status conference basis only with briefing to be set.

5. Debtors' Objection to Claims of Pach Shemen LLC, VR Global Partners, LP, and Alpine Partners (BVI) L.P. [Dkt. No. 377].

Response Deadline: February 20, 2024 at 4:00 P.M.; the briefing schedule was adjourned and will be considered at the February 27, 2024 status conference.

Related Documents(s):

(A) Notice of Objection and Hearing [Dkt. No. 377].

(B) Proposed Order Sustaining Debtors' Objection to Claims of Pach Shemen LLC, VR Global Partners, LP, and Alpine Partners (BVI) L.P. [Dkt. No. 377].

(C) Declaration of Vassilis E. Kertsikoff in Support of Debtors' Objections to Proofs of Claim [Dkt. No. 381].

(D) Notice of Adjournment of Hearing and Scheduling of Status Conference on all Motions Currently Scheduled for February 27, 2024 at 10:00 A.M. (Eastern) [Dkt. No. 425].

(E) Joint Status Report [Dkt. No. 435].

Responses/Replies Received:

Status: This matter is going forward on a status conference basis only with briefing to be set.

6. Debtors' Objection to Claims of Levona Holdings Ltd. [Dkt. No. 378].

Response Deadline: February 20, 2024 at 4:00 P.M.; the briefing schedule was adjourned and will be considered at the February 27, 2024 status conference.

Related Documents(s):

- (A) Notice of Objection and Hearing [Dkt. No. 378].
- (B) Proposed Order Sustaining Debtors' Objection to Claims of Levona Holdings Ltd. [Dkt. No. 378].
- (C) Declaration of Vassilis E. Kertsikoff in Support of Debtors' Objections to Proofs of Claim [Dkt. No. 381].
- (D) Notice of Adjournment of Hearing and Scheduling of Status Conference on all Motions Currently Scheduled for February 27, 2024 at 10:00 A.M. (Eastern) [Dkt. No. 425].
- (E) Joint Status Report [Dkt. No. 435].

Responses/Replies Received:

Status: This matter is going forward on a status conference basis only with briefing to be set.

- 7. Debtors' Objection to Claims of New Agathonissos Finance LLC [Dkt. No. 379].

Response Deadline: February 20, 2024 at 4:00 P.M; the briefing schedule was adjourned and will be considered at the February 27, 2024 status conference.

Related Documents(s):

- (A) Notice of Objection and Hearing [Dkt. No. 379].
- (B) Proposed Order Sustaining Debtors' Objection to Claims of New Agathonissos Finance LLC [Dkt. No. 379].
- (C) Declaration of Vassilis E. Kertsikoff in Support of Debtors' Objections to Proofs of Claim [Dkt. No. 381].
- (D) Notice of Adjournment of Hearing and Scheduling of Status Conference on all Motions Currently Scheduled for February 27, 2024 at 10:00 A.M. (Eastern) [Dkt. No. 425].
- (E) Joint Status Report [Dkt. No. 435].

Responses/Replies Received:

Status: This matter is going forward on a status conference basis only with briefing to be set.

8. Debtors' Objection to Claims of Wilmington Savings Fund Society, FSB [Dkt. No. 380].

Response Deadline: February 20, 2024 at 4:00 P.M.; the briefing schedule was adjourned and will be considered at the February 27, 2024 status conference.

Related Documents(s):

- (A) Notice of Objection and Hearing [Dkt. No. 380].
- (B) Proposed Order Sustaining Debtors' Objection to Claims of Wilmington Savings Fund Society, FSB [Dkt. No. 380].
- (C) Declaration of Vassilis E. Kertsikoff in Support of Debtors' Objections to Proofs of Claim [Dkt. No. 381].
- (D) Notice of Adjournment of Hearing and Scheduling of Status Conference on all Motions Currently Scheduled for February 27, 2024 at 10:00 A.M. (Eastern) [Dkt. No. 425].
- (E) Joint Status Report [Dkt. No. 435].

Responses/Replies Received:

Status: This matter is going forward on a status conference basis only with briefing to be set.

9. Debtors' Motion to Compel Mediation Regarding Competing Plan and Competing Plan Procedures [Dkt. No. 412].

Response Deadline: February 20, 2024 at 4:00 P.M.; the briefing schedule was adjourned and will be considered at the February 27, 2024 status conference.

Related Documents(s):

- (A) Notice of Debtors' Motion to Compel Mediation Regarding Competing Plan and Competing Plan Procedures [Dkt. No. 412].

(B) Proposed Order Approving Debtors' Motion to Compel Mediation Regarding Competing Plan and Competing Plan Procedures [Dkt. No. 412-1].

(C) Joint Status Report [Dkt. No. 435].

Responses/Replies Received:

(D) Letter from Bryan M. Kotliar of Togut, Segal & Segal LLP to Judge John P. Mastando III Regarding Debtors' Motion to Compel Mediation Regarding Competing Plan and Competing Plan Procedures [Dkt. No. 414].

(E) Letter from David A. Herman of Dechert LLP to Judge John P. Mastando III Regarding Debtors' Motion to Compel Mediation Regarding Competing Plan and Competing Plan Procedures [Dkt. No. 415].

(F) Letter from Louis M. Solomon LLP to Judge John P. Mastando III Regarding District Court Action [Dkt. No. 416].

(G) Order Regarding Motion to Compel Mediation and Response Letters [Dkt. No. 421].

(H) Letter from Isaac Nesser of Quinn Emanuel Urquhart & Sullivan LLP Regarding Request for Discovery Conference [Dkt. No. 423].

(I) Notice of Adjournment of Hearing and Scheduling of Status Conference on all Motions Currently Scheduled for February 27, 2024 at 10:00 A.M. (Eastern) [Dkt. No. 425].

Status: This matter is going forward on a status conference basis only with briefing to be set.

10. The United States Trustee's Motion to Appoint a Chapter 11 Trustee [Dkt. No. 424].

Response Deadline: The briefing schedule was adjourned and will be considered at the February 27, 2024 status conference.

Related Documents(s):

(A) Joint Status Report [Dkt. No. 435].

Responses/Replies Received:

Status: This matter is going forward on a status conference basis only with briefing to be set.

DATED: New York, New York
February 26, 2024

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